

Message Text

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PAGE 01 STUTTG 01033 131701Z

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

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R 081530Z AUG 76

FM AMCONSUL STUTTGART

TO SECSTATE WASHDC 3047

INFO AMEMBASSY BONN

USMISSION USBERLIN

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL FRANKFURT

AMCONSUL HAMBURG

AMCONSUL MUNICH

HQUSEUCOM VAIHINGEN

HQUSAREUR HEIDELBERG

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FOR POLADS

E. O. 11652: N/A

TAGS: PINT GW

SUBJ: SUMMING UP IN BAADER-MEINHOF TRIAL?

REF: STUTTGART 0982

SUMMARY: THERE ARE INDICATIONS FROM PRESIDING JUDGE'S STATEMENTS IN COURT THAT PRESENTATION OF EVIDENCE AND TESTIMONY AS WELL AS SUMMARIES OF PROSECUTORS AND DEFENSE MIGHT BE COMPLETED WITHIN FEW WEEKS. WHILE THIS IS DEPENDENT ON SUCCESS OR FAILURE OF FURTHER DELAYING TACTICS BY DEFENSE ATTORNEYS, THESE HAVE BEEN LESS RESOURCEFUL AS TRIAL HAS PROGRESSED. THE END OF THE TRIAL MAY INDEED COME "THIS FALL". END SUMMARY.

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1. ACCORDING TO AUGUST 13 PRESS, PRESIDING JUDGE PRINZING

INDICATED DURING LAST COURT SESSION THAT, IN ABSENCE PRESENTATION OF ADDITIONAL DEFENSE EVIDENCE AND IN VIEW OF ANTICIPATED COMPLETION SCHEDULED TESTIMONY OF WITNESSES, "SUMMING-UP" OF PROSECUTORS, FOLLOWED BY DEFENSE FINAL PRESENTATION, COULD COME IN TWO WEEKS. THIS FITS GENERALLY WITH INFORMATION RECEIVED FROM VISITING AMERICAN PROFESSOR AT TUEBINGEN WHO ATTENDED AUGUST 11 SESSION. LATTER ALSO INDICATED THAT WHEN PRINZING MENTIONED DEFENSE SUMMING UP, DEFENSE ATTORNEY IMMEDIATELY REQUESTED TEN DAY DELAY IN TRIAL, THUS FAR UNSUCCESSFULLY.

2. ON AUGUST 10, BADEN-WUERTTEMBERG JUSTICE MINISTER BENDER ALSO INDICATED TO ME HIS BELIEF TRIAL WOULD BE COMPLETED "THIS FALL". WHEN I INDICATED THAT ONE REASON FOR MY QUERY WAS THE APPARENTLY INTERMINABLE EXPENSE OF SECURITY MEASURES WHICH PLAGUE US ALL, BENDER CONFIRMED THE EXPENSE BUT ADDED THAT IT IS BETTER TO TERMINATE THESE MEASURES LATER THAN SOONER. ONE CANNOT BE SURE ABOUT TERRORIST INTENTIONS BEFORE AND AFTER CONCLUSION OF TRIAL. MOREOVER, HE ADDED, THERE ARE SOME INDICATIONS THE ACTION "MIGHT BE MOVING SOUTH."

3. COMMENT: IN ESTIMATING TERMINAL DATE FOR TRIAL ONE SHOULD REMEMBER REMARKABLE DEFENSE APTITUDE FOR PROCEDURAL DELAY. HOWEVER, AS TRIAL HAS PROCEEDED, SUCCESS OF THESE TACTICS HAS DIMINISHED CONSIDERABLY AND TRIAL MAY, INDEED, BE COMPLETED "THIS FALL". JENKINS

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